

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CRIMINAL DOCKET NO.: 3:04CR263-V**

|                                 |   |                     |
|---------------------------------|---|---------------------|
| <b>UNITED STATES OF AMERICA</b> | ) |                     |
|                                 | ) |                     |
| <b>vs.</b>                      | ) | <b><u>ORDER</u></b> |
|                                 | ) |                     |
| <b>JAMES WILLIAM NELSON,</b>    | ) |                     |
| <b>Defendant.</b>               | ) |                     |
| <hr/>                           | ) |                     |

**THIS MATTER** is before the Court on the Government's Motion to Dismiss pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, filed July 7, 2005. (Document #2) Upon the Government's request, leave of Court will be granted for the dismissal of the Bill of Indictment in the above-captioned case without prejudice.

**IT IS, THEREFORE, ORDERED** that the Motion to Dismiss is hereby **GRANTED**.

**IT IS FURTHER ORDERED** that the Clerk is directed to certify copies of this Order to the U.S. Probation Office, U.S. Marshal Service, and the United States Attorney's Office.

**Signed: August 31, 2005**

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the text.

Richard L. Voorhees  
United States District Judge



